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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 TAMMY LEE BRUEGMAN,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL
14 SECURITY,

15 Defendant.

CASE NO. C18-5577JLR

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 **I. INTRODUCTION**

17 This matter comes before the court on the Report and Recommendation of United
18 States Magistrate Judge Mary Alice Theiler (R&R (Dkt. # 18)), and Plaintiff's objections
19 thereto (Objs. (Dkt. # 19)). Having carefully reviewed the foregoing, along with all other
20 relevant documents and the governing law, the court ADOPTS the Report and
21 Recommendation (Dkt. # 18).

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II. STANDARD OF REVIEW

A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. *See* Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." *Id.* "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). The court reviews de novo those portions of the report and recommendation to which specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). "The statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *Id.* When no objections are filed, the court need not review de novo the report and recommendation. *Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

III. DISCUSSION

Plaintiff objects to the Report and Recommendation's determination that this matter be remanded for further proceedings rather than an immediate calculation of benefits. (*See generally* Objs.) Plaintiff's objections to the Report and Recommendation are based on two reasons: (1) the ALJ's alleged failure to address Drs. Lloyd, Robinson, and Nelson's opinions; and (2) the Report and Recommendation's "uncertainty as to plaintiff's entitlement to disability." (*Id.* at 1.)

Plaintiff's objections do not raise any novel issues that were not addressed by Magistrate Judge Theiler's Report and Recommendation. Moreover, the court has

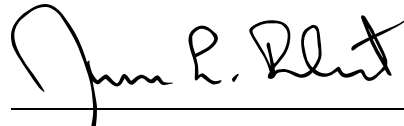
1 thoroughly examined the record before it and finds Magistrate Judge Theiler's reasoning
2 persuasive in light of that record. Plaintiff essentially reargues the arguments she made
3 to Magistrate Judge Theiler, as well as other issues that Magistrate Judge Theiler
4 thoroughly addressed in the Report and Recommendation, and the court independently
5 rejects them for the same reasons as Magistrate Judge Theiler.

6 **IV. CONCLUSION**

7 For the foregoing reasons, the court hereby ORDERS as follows:

- 8 (1) The court ADOPTS the Report and Recommendation (Dkt. #18) in its entirety;
9 (2) The court REMANDS this action for further administrative proceedings; and
10 (3) The court DIRECTS the Clerk to send copies of this order to counsel for
11 Plaintiff, counsel for Defendant, and Magistrate Judge Theiler.

12 Dated this 13th day of May, 2019.

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15 JAMES L. ROBART
16 United States District Judge
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